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to: ATTENTION: Board of Patent Appeals and  
Interferences, Assistant Commissioner for Patents,  
Washington, D.C. 20231

Keith A. Johnson



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TECHNOLOGY UNIT  
BOARD OF PATENT APPEALS  
AND INTERFERENCES  
37100  
PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF : Keller et al.  
FOR : GOLF BALL WHICH INCLUDES FAST-  
CHEMICAL-REACTION-PRODUCED  
COMPONENT AND METHOD OF  
MAKING SAME  
SERIAL NO. : 09/040,798  
FILED : March 18, 1998  
GROUP ART UNIT : 3711  
EXAMINER : Steven Wong  
LAST OFFICE ACTION : November 5, 1999  
ATTORNEY DOCKET NO. : P-5550  
SLD 2 0207

Cleveland, Ohio 44114-2518  
October 16, 2000

ATTENTION: Board of Patent Appeals and Interferences  
Assistant Commissioner for Patents  
Washington, D.C. 20231

**TRANSMITTAL OF APPEAL BRIEF**

1. Transmitted herewith, in triplicate, is the APPEAL BRIEF in this application, with respect to the Notice of Appeal received by the U.S. Patent and Trademark Office on May 4, 2000.

NOTE: "Appellant must, within two months from the date of the notice of appeal under § 1.191 or within the time allowed for reply to the action from which the appeal was taken, if such time is later, file a brief in triplicate. . ." 37 C.F.R. § 1.192(a) (emphasis added).

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## 2. STATUS OF APPLICANT

This application is on behalf of

- other than a small entity.
- a small entity.

A statement:

- is attached.

was already filed.

## 3. FEE FOR FILING APPEAL BRIEF

Pursuant to 37 C.F.R. § 1.17(c), the fee for filing the Appeal Brief is:

<input type="checkbox"/> small entity	\$150.00
<input checked="" type="checkbox"/> other than a small entity	\$310.00
<b>Appeal Brief fee due:</b>	<b>\$310.00</b>

## 4. EXTENSION OF TERM

**NOTE:** *The time periods set forth in 37 C.F.R. § 1.192(a) are subject to the provision of § 1.136 for patent applications. 37 C.F.R. § 1.191(d). See also Notice of November 5, 1985 (1060 O.G. 27).*

**NOTE:** *As the two-month period set in § 1.192(a) for filing an appeal brief is not subject to the six-month maximum period specified in 35 U.S.C. § 133, the period for filing an appeal brief may be extended up to seven months. 62 Fed. Reg. 53,131, at 53,136; 1203 O.G. 63, at 84 (Oct. 10, 1997).*

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136 apply.

*(complete (a) or (b), as applicable)*

(a)  Applicant petitions for an extension of time under 37 C.F.R. § 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(5)) for the total number of months checked below:

<u>Extension (months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
<input type="checkbox"/> one month	\$110.00	\$55.00
<input type="checkbox"/> two months	\$380.00	\$190.00
<input type="checkbox"/> three months	\$870.00	\$435.00
<input checked="" type="checkbox"/> four months	\$1,390.00	\$680.00
<input type="checkbox"/> five months	\$1,850.00	\$925.00

**Extension fee due: \$1,390.00**

If an additional extension of time is required, please consider this a petition therefor.

*(check and complete the next item, if applicable)*

An extension for \_\_\_\_ months has already been secured, and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

**Extension fee due with this request: \$1,390.00**

**OR**

(b)  Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

#### 5. TOTAL FEE DUE

The total fee due is:

Appeal brief fee \$310.00

Extension fee (if any) \$1,390.00

**TOTAL FEE DUE: \$1,700.00**

#### 6. FEE PAYMENT

Attached is a check in the amount of **\$1,700.00 (\$300.00 appeal brief fee and \$1,360.00 extension fee)**.

Charge Deposit Account No. 06-0308 the sum of \$\_\_\_\_\_.

7. FEE DEFICIENCY

If any additional extension and/or fee is required, this is a request therefor and to charge Deposit Account No. 06-0308.

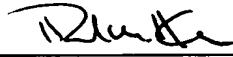
AND/OR

If any additional fee for claims is required, charge Deposit Account No. 06-0308.

Respectfully submitted,

FAY, SHARPE, FAGAN,  
MINNICH & McKEE, LLP

DATED: October 11, 2000

  
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